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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined initial to third periodic reports of Solomon Islands*

General

1. In the foreword to the report of the State party (CEDAW/C/SLB/1-3), mention is made of sponsorship by the United Nations Entity for Gender Equality and the Empowerment of Women to meet the cost of producing the report. Please provide information on the process of preparing the report, including details of the involvement of the Entity. In particular, please indicate which government departments and institutions were involved and the nature and extent of their participation, and whether consultations were held with non-governmental organizations, especially women's organizations, in the process.

Women, peace and security

2. Please provide information on the status of the draft national action plan on women, peace and security, including whether it has been adopted by the Cabinet, its goals and the extent and nature of women's involvement in its preparation. Please specify whether there is a time frame for the adoption of the plan and the agency that will lead its implementation. Please provide information on its strategic priorities and the involvement of women's non-governmental organizations in its preparation and implementation.

Legal status of the Convention and the legislative and institutional framework

3. Please provide information on the status of the discussions in Parliament in relation to the draft federal constitution, indicating whether the draft includes provisions on discrimination against women, in line with article 1 of the Convention. Please describe measures taken by the State party to amend legislation that discriminates against women, in particular the Labour Act, the Penal Code, the Criminal Procedure Code, the Evidence Act, the Affiliation, Separation and Maintenance Act, the Islanders Divorce Act and the Islanders Marriage Act. Please provide information on the work of the Solomon Islands Law Reform Commission,

* Adopted by the pre-sessional working group for the fifty-ninth session, meeting from 3 to 7 March 2014.

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in particular the budget allocated for its functioning and the progress achieved in the implementation of its recommendations on amending the laws. Please provide information on cases in which customary law has been applied as an exception to section 15 of the Constitution, which prohibits discrimination on the ground of gender. Please explain the procedure to apply the exception and clarify the criteria for applying customary law.

Access to justice

4. In paragraph 11,[1] it is pointed out that, according to section 18 of the Constitution, any person who alleges a breach in respect of the protections provided in sections 1-16 of the Constitution can apply to the High Court for redress. Please provide information about decisions issued by the High Court in relation to violations of the rights of women and to ensure reparations and compensation for victims. Please also provide information about the status of the proceedings and the implementation of the recommendations of the Solomon Islands Truth and Reconciliation Commission with regard to violations of women's rights during the ethnic tensions, specifically on sexual violence. It has previously been stated that there have not been large numbers of prosecutions for gender-based violence committed against women and girls during the ethnic tensions (CEDAW/C/SLB/Q/1-3/Add.1, para. 7). Please provide information on any measures envisaged to prosecute such offences and to combat impunity for their perpetrators.

National machinery for the advancement of women

5. Please indicate specific programmes and projects encompassed in the National Policy on Gender Equality and Women's Development to be implemented at the provincial level. Please also provide information on measures taken by the State party to adopt and implement public policies on gender at that level. Please provide information on the monitoring tools for assessing the impact of the National Policy since 2012 and on any assessment of the impact to date. Please indicate to what extent women and their organizations have been consulted and have participated in the implementation of the programmes and strategies of the National Policy on Gender Equality and Women's Development and the National Policy on Eliminating Violence against Women. In paragraph 50, it is indicated that a women's development division has been established within the Ministry of Women, Youth and Children's Affairs. Please provide updated information on the human and financial resources allocated to the Division, as previously requested by the Committee (CEDAW/C/SLB/Q/1-3, para. 7).

Stereotypes and harmful practices

6. While the State party acknowledges the existence of traditional patriarchal attitudes and gender stereotypes that underpin harmful practices and reinforce women's subordination in its society (paras. 119-123), it does not elaborate on the measures that it has taken to eliminate such stereotypes and harmful practices. Please report on measures taken to combat discriminatory traditional stereotypes and eliminate harmful practices that impede women's full enjoyment of their human

[1] Unless otherwise indicated, paragraph numbers refer to the combined initial to third periodic reports of the State.

rights in the social, economic and political spheres, as well as in family relations. In addition, please provide information on measures and mechanisms at the national and provincial levels, including activities of the Solomon Islands Law Reform Commission, to eliminate discriminatory practices against women that are embedded in customary law, such as payment of bride prices, early marriage, traditional forms of inherited male leadership and prevalence of men in customary land management.

Violence against women

7. Please report on the current stage of development and scope of the "comprehensive, stand-alone domestic violence bill" (CEDAW/C/SLB/Q/1-3/Add.1, para. 35) and indicate whether the bill criminalizes all forms of violence against women. Please also provide updated information on the status of the review process of the Penal Code, indicating whether sexual violence, marital rape and sexual harassment have been included as specific criminal offences.

8. Please provide updated information on specific achievements of the National Policy on Eliminating Violence against Women, in particular in the area of combating the high level of acceptance of violence against women in society (paras. 132 and 133) through awareness-raising. Please report on programmes aimed at raising awareness of violence against women and of the right of women to have access to justice and to seek compensation and redress. The State party has previously indicated that a number of referral networks have been established for victims of gender-based violence and child abuse (CEDAW/C/SLB/Q/1-3/Add.1, para. 36). Please provide detailed information on the number of women who have benefited from the referral networks to date, together with their ages and ethnic origin. What measures have been adopted to ensure that women with disabilities can also have access to such networks? Please provide information on the scope of the community dispute resolution processes and their impact on women who have been victims of any form of violence.

Trafficking in women and exploitation of prostitution

9. The State party indicates in paragraph 144 that, in 2012, Parliament passed the Immigration Act, which includes some provisions in relation to trafficking in human beings. It underlines in paragraph 147, however, that the Act has not yet come into effect because of other legislative requirements. Please provide information on the current status of the Act and on any measures taken to implement it. Please provide information on any steps taken to adopt a comprehensive legal framework to prevent and punish trafficking in women and girls, in compliance with article 6 of the Convention. Please also indicate whether the State party has established mechanisms for the investigation, prosecution and punishment of trafficking offenders under the existing legislative framework, in particular the Penal Code, and whether there are policies to provide assistance and legal support to women victims of trafficking, including those who are exploited in forced prostitution. Please clarify whether prostitution is considered a criminal offence in the State party and whether women engaged in prostitution are penalized. Please also provide information on the number of women victims of exploitation of prostitution.

Participation in political and public life

10. Please provide information on the progress of the consultation process and other measures to adopt the policy paper on seats reserved for women in Parliament. Please clarify whether those seats will be available for the 2014 electoral process and indicate the number of women candidates running for Parliament in 2014. Aside from the creation of the Young Women Parliamentary Group and the training sessions held in 2009 and 2011 on the issue of participation of women in political life, please indicate what specific measures have been taken by the Government with regard to women who run for Parliament, including support for campaign funding, provision of technical advice, specific training on public policies and governance and increased visibility.

11. Please indicate any measures adopted or envisaged by the Government, including through the adoption of temporary special measures in accordance with article 4 (1) of the Convention and general recommendation No. 25, to increase women's presence in the executive branch, in managerial positions and in the judiciary. Please provide information on the current processes for appointment to such positions and on any measures to ensure that women can compete on an equal basis with men for positions in public office and the judiciary, including the higher courts.

Nationality and citizenship

12. Please provide information on any steps taken by the State party to amend the provisions of the Citizenship Act (1978) that require the explicit consent of husbands to confer nationality to their foreign spouses (para. 196). Please provide sex-disaggregated information on the number of applicants for nationality in Solomon Islands and the percentages of foreign spouses (women and men) granted nationality. The State party also indicates in paragraph 198 that women are prohibited from applying for citizenship for their adopted children, unlike men. Please indicate whether the State party envisages measures to abolish this discriminatory provision of the Act.

Education

13. Please provide information and statistics on the enrolment of girls at all levels of education and on the impact of the National Development Strategy 2011-2020 on the school attendance of girls. In the light of the provisions of the National Education Action Plan 2010-2012 and the policy statement and guidelines for tertiary education endorsed in 2010, please explain the measures taken by the State party to ensure the access to education of girls with disabilities.

14. Please provide sex-disaggregated data on enrolment and attendance rates in secondary and vocational education. Please provide information on measures taken to reduce the high dropout rates of girls in secondary education, which are reported to be a result of cultural stereotypes and attitudes that expect girls to shoulder household responsibilities. Please provide information on strategies by the State party to mainstream gender in curricula and to ensure that teaching methodologies address gender stereotypes and promote equality between women and men. Please provide information on temporary special measures to promote and facilitate the enrolment of women in university programmes, in particular in areas such as the sciences, economics and engineering.

Employment

15. Please provide information on the priorities established by public policies to increase employment opportunities for women. Please indicate any steps taken towards establishing a legal framework to provide protection for women employed as domestic workers vis-à-vis the discriminatory provisions in the Labour Act concerning maternity leave (para. 245). Does the State party intend to adopt legal measures to ensure that all women workers can benefit from paid maternity leave, to protect women from dismissal in case of pregnancy and to repeal the provisions prohibiting employment of women in specific types of work?

16. Please provide information on mechanisms put in place to request technical advice and cooperation from specialized international agencies, such as the International Labour Organization, in the area of employment. Please also explain the scope of programmes and achievements of the Human Resource Management Strategy for the Solomon Islands Public Service 2010-2015 as regards women's employment (para. 263).

Health

17. Please provide information on measures taken under the National Health Strategic Plan 2011-2015 (CEDAW/C/SLB/Q/1-3/Add.1, para. 72) in the area of sexual and reproductive health and rights and family planning, including information on awareness-raising activities, comprehensive education programmes and measures to address factors that prevent women from having access to family planning services. Given the low prevalence rate (only 27.3 per cent) of contraceptive use in the State party, in particular among sexually active unmarried women (16.2 per cent), what measures has the Government implemented to increase women's access to and use of modern contraceptive methods and family planning services? Does the State party have awareness-raising programmes to reduce early pregnancies among girls? If so, please provide information thereon. Please clarify whether the State party has imposed sentences of life imprisonment on women for abortion in accordance with sections 158 and 221 of the Penal Code (paras. 270 and 271). Please indicate whether the State party envisages amending its legislation to ensure that women undergoing abortion are not penalized and that they have access to safe abortion.

18. Please provide information on measures taken, including the allocation of specific budgets in the scope of the National Health Strategic Plan 2011-2015 (CEDAW/C/SLB/1-3/Add.1, para. 72), to ensure health-care services for women, in particular those living in rural areas. Please provide updated information on the health services available to pregnant women and on programmes aimed at preventing maternal mortality. Please describe any steps to develop data collection and reliable statistics in such areas. Please also describe policies in the area of mental health and elaborate on their main lines of action, especially with regard to women and young girls. It is stated in paragraph 315 that suicide rates are disproportionately high among young women. Please provide information on any measures adopted to prevent suicide among women and girls.

Rural women

19. Please provide information, including statistical data, on rural women who benefit from the Rural Development Programme. Please report on measures,

programmes and budgets pertaining to rural women and on measures to facilitate their access to banking services. What measures have been adopted by the State party to increase women's access to and ownership of land and resources?

Marriage and family relations

20. Please provide information on efforts to amend the laws that discriminate against women with regard to ownership and management of property upon dissolution of marriage (para. 393). Please also provide information on the application of the provisions relating to divorce in the Islanders Divorce Act and indicate whether women have access to legal advice in order to request divorce on the grounds adopted in law. Does the State party envisage amending the Act to allow for no-fault divorce?